

### **Remarks**

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and following remarks. Claims 1-24 remain pending in the current application. Claims 4, 7, 9, 11, 14, 17, 19, 21, 23, and 24 have been amended.

#### **I. Claim Objections**

The Office Action objected to claim 9 because of an informality. Applicant has replaced "Claim 1" with "Claim 4" in line 1. Thus, Applicant respectfully requests that the objection be removed from claim 9.

The Office Action objected to claim 14 because of an informality. Applicant has replaced "sender" with "first terminal" in line 2. Thus, Applicant respectfully requests that the objection be removed from claim 14.

The Office Action objected to claim 19 because of an informality. Applicant has replaced "Claim 11" with "Claim 14" in line 1. Thus, Applicant respectfully requests that the objection be removed from claim 19.

The Office Action objected to claim 24 because of an informality. Applicant has replaced "user" with "second terminal" in line 3. Thus, Applicant respectfully requests that the objection be removed from claim 24.

#### **II. Claim Rejections under 35 U.S.C. § 112**

The Office Action rejected claims 17 and 18 under 35 U.S.C. § 112, second paragraph, stating that there is insufficient antecedent basis for the limitation "the requested string" in line 1 of

claim 17. Claim 17 has been amended. Claim 18 depends from claim 17. Thus, Applicant respectfully requests that the 35 U.S.C. § 112 rejection be withdrawn from claims 17 and 18.

### **III. Claim Rejections under 35 U.S.C. § 102**

The Office Action stated that claims 1-3, 11-13, 21, and 22 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,793,302 ("Stambler"). These rejections are respectfully traversed.

#### **a. Claims 1-3**

Independent claim 1 is directed to a method for authenticating a first terminal to a second terminal, comprising in part: "obtaining the requested string from the second terminal" and "merging the obtained string with a password to create an identification code."

Stambler does not teach or suggest merging a string requested from a second terminal with a password to create an identification code as recited in claim 1. Stambler is understood to disclose a method whereby a first terminal (e.g., the recipient's terminal of FIG. 8A) communicates with a second terminal (e.g., the remote bank CPU of FIG. 8A) such that the recipient provides a PIN, identifies his bank, and enters his TIN and "**all information required by the terminal** to initiate the transaction" for authentication purposes (see col. 5, lines 62-66, emphasis added). Stambler teaches against obtaining a requested string from the second terminal (e.g., the remote bank CPU) because all of the required information for authentication purposes is already present at the first terminal (e.g., the recipient's terminal).

Furthermore, all of the information being transferred as part of the authentication process in Stambler is understood to be transferred in only one direction: from the first terminal (the recipient's

terminal) to the second terminal (the remote bank CPU) (see col. 5, line 55 to col. 6, line 45, and FIG. 8A). This is exemplified by the connection between the recipient's terminal and the remote bank CPU (e.g., between mixer 48 and sorter 62 in FIG. 8A), which is displayed as a one-directional arrow, indicating that the communication between the two terminals with respect to authentication of the recipient is one-directional. Because all of the authentication information in Stambler only travels from the first terminal (e.g., the recipient) to the second terminal (e.g., the remote bank CPU), Stambler fails to teach or suggest "obtaining the requested string from the second terminal" and "merging the obtained string with a password to create an identification code," as recited in claim 1.

Alternatively, for sake of argument, Stambler still fails to teach or suggest "obtaining the requested string from the second terminal" and "merging the obtained string with a password to create an identification code," as recited in claim 1, even if the recipient's terminal is construed as the second terminal and the remote bank CPU is construed as the first terminal. For example, there is no request for a string from the second terminal (the recipient's terminal); rather, the recipient's terminal unilaterally submits authentication information to the remote bank CPU when the recipient wants to initiate a transaction and not in response to a request. Also, since no string is requested, there can be no "obtaining the requested string from the second terminal" and no "merging the obtained string with a password to create an identification code," as recited in claim 1. Accordingly, Applicant respectfully requests that the 35 U.S.C. § 102(b) rejection be withdrawn from independent claim 1.

Dependent claims 2 and 3 depend from independent claim 1 and are allowable for at least the reasons recited above in support of their parent claim 1. They are also independently patentable. Accordingly, the 35 U.S.C. § 102(b) rejection of claims 2 and 3 should be withdrawn.

**b. Claims 11-13**

Independent claim 11 requires "sending the string to the first terminal" and "receiving an identification code from the first terminal composed by merging the sent string with a sender password." Stambler is understood to not disclose "sending the string to the first terminal" and "receiving an identification code from the first terminal composed by merging the sent string with a sender password," regardless of how the recipient and remote bank CPU terminals of Stambler are construed. Stambler fails to teach or suggest "sending the string to the first terminal" because nothing is sent from the remote bank CPU to the recipient's terminal during the authentication process. Since no string is sent to the recipient, there is no "sending the string to the first terminal" and, therefore, no "receiving an identification code from the first terminal composed by merging the sent string with a sender password." Accordingly, Applicant respectfully requests that the 35 U.S.C. § 102(b) rejection be withdrawn from independent claim 11.

Dependent claims 12 and 13 depend from independent claim 11 and are allowable for at least the reasons recited above in support of their parent claim 11. They are also independently patentable. Accordingly, the 35 U.S.C. § 102(b) rejection of claims 12 and 13 should be withdrawn.

**c. Claims 21 and 22**

Independent claim 21 requires "an output device to send the merge string to the second terminal" and "an input device to receive an identification code from the second terminal, the identification code being composed by merging the sent string with a second terminal password." Stambler is understood to not disclose sending a merge string to a second terminal and receiving "an identification code from the second terminal, the identification code being composed by merging the sent string with a second terminal password," regardless of how the recipient and remote bank CPU

terminals of Stambler are construed. Accordingly, Applicant respectfully requests that the 35 U.S.C. § 102(b) rejection be withdrawn from independent claim 21.

Dependent claim 22 depends from independent claim 21 and is allowable for at least the reasons recited above in support of its parent claim 21. It is also independently patentable. Accordingly, the 35 U.S.C. § 102(b) rejection of claim 22 should be withdrawn.

#### **IV. Claim Rejections under 35 U.S.C. § 103**

Claims 5 and 6 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,793,302 ("Stambler") as applied to claim 1 and further in view of U.S. Patent No. 5,196,840 ("Leith"). Claim 10 is rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,793,302 ("Stambler") as applied to claim 1 and further in view of U.S. Patent No. 6,151,395 ("Harkins"). Claims 15 and 16 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,793,302 ("Stambler") as applied to claim 11 and further in view of U.S. Patent No. 5,196,840 ("Leith"). Claim 20 is rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,793,302 ("Stambler") as applied to claim 1 and further in view of U.S. Patent No. 6,151,395 ("Harkins"). These rejections are respectfully traversed. Each of these claims sets forth an independently patentable combination of method acts or elements.

##### **a. Claims 5 and 6**

As discussed above with respect to claim 1, the parent claim to claims 5 and 6, Stambler fails to teach or suggest "obtaining the requested string from the second terminal" and "merging the obtained string with a password to create an identification code," as recited in claim 1. Leith does not cure this deficiency. Neither Stambler nor Leith, taken together or in combination, teach or

suggest "obtaining the requested string from the second terminal" and "merging the obtained string with a password to create an identification code," as recited in claim 1. Therefore, claims 5 and 6, which depend from claim 1, are allowable over Stambler in view of Leith. Accordingly, claims 5 and 6 should be allowed.

**b. Claim 10**

As discussed above with respect to claim 1, the parent claim to claim 10, Stambler fails to teach or suggest "obtaining the requested string from the second terminal" and "merging the obtained string with a password to create an identification code," as recited in claim 1. Harkins does not cure this deficiency. Neither Stambler nor Harkins, taken together or in combination, teach or suggest "obtaining the requested string from the second terminal" and "merging the obtained string with a password to create an identification code," as recited in claim 1. Therefore, claim 10, which depends from claim 1, is allowable over Stambler in view of Harkins. Accordingly, claim 10 should be allowed.

**c. Claims 15 and 16**

As discussed above with respect to claim 11, the parent claim to claims 15 and 16, Stambler fails to teach or suggest "sending the string to the first terminal" and "receiving an identification code from the first terminal composed by merging the sent string with a sender password," as recited in claim 11. Leith does not cure this deficiency. Neither Stambler nor Leith, taken together or in combination, teach or suggest "obtaining the requested string from the second terminal" and "merging the obtained string with a password to create an identification code," as recited in claim 11.

Therefore, claims 15 and 16, which depend from claim 11, are allowable over Stambler in view of Leith. Accordingly, claims 15 and 16 should be allowed.

**d. Claim 20**

As discussed above with respect to claim 11, the parent claim to claim 20, Stambler fails to teach or suggest "sending the string to the first terminal" and "receiving an identification code from the first terminal composed by merging the sent string with a sender password," as recited in claim 11. Harkins does not cure this deficiency. Neither Stambler nor Harkins, taken together or in combination, teach or suggest " sending the string to the first terminal" and "receiving an identification code from the first terminal composed by merging the sent string with a sender password," as recited in claim 11. Therefore, claim 20, which depends from claim 11, is allowable over Stambler in view of Harkins. Accordingly, claim 20 should be allowed.

**V. Allowable Subject Matter**

The Office Action states that claims 4, 7-9, 14, 19, 23, and 24 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The Office Action also states that claims 17 and 18 would be allowable if rewritten to overcome the rejection under 35 U.S.C. § 112, second paragraph, set forth in the Office Action and to include all the limitations of the base claim and any intervening claims. These claims should now be allowed in view of the amendments to claims 4, 7, 14, 17, 23, and 24.

Applicant appreciates the Examiner's indication of allowable subject matter. To the extent that the statement of reasons for allowance uses language not identically appearing in the claims,

Applicant notes that none of the claims are limited by such language and that the actual language of each claim speaks for itself.

#### **VI. Request for Examiner Interview**

The Examiner is formally requested to contact the undersigned to arrange for an Examiner Interview. This request is being submitted under MPEP § 713.01, which indicates that an interview may be arranged in advance by a written request.

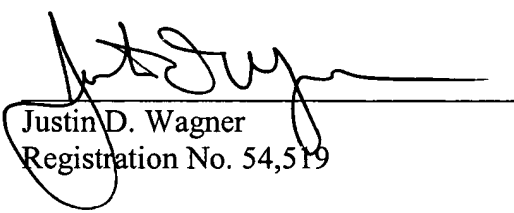
#### **VII. Conclusion**

The present application is now in condition for allowance and such action is respectfully requested.

Respectfully submitted,

KLARQUIST SPARKMAN, LLP

By

  
Justin D. Wagner  
Registration No. 54,519

One World Trade Center, Suite 1600  
121 S.W. Salmon Street  
Portland, Oregon 97204  
Telephone: (503) 226-7391  
Facsimile: (503) 228-9446